

Section 3: Law Enforcement

Law Enforcement in Washington State

Washington's ratio of 24 officers per 100,000 residents is below the U.S. average of 31.

Law enforcement in Washington takes place within a complex array of jurisdictions, including federal, tribal, state, county, and municipal agencies. There are also multi-agency efforts that engage is specialized work such as terrorism prevention and response.

Although law enforcement agencies often work together, sharing resources and goals, each also has specific limits related to personnel, jurisdiction and funding. At present, all face the challenges of shrinking budgets, growing population and greater demands connected to preventing terrorism and being prepared to respond to possible terrorist attacks.

Federal Law Enforcement In Washington State

The federal Bureau of Justice Statistics reports that in June, 2000, 1,394 federal officers with arrest and firearm authority were stationed in Washington. Roughly half worked in criminal investigation and patrol. Although a strong presence, federal officers were in somewhat shorter supply here than across the nation. Washington's ratio of 24 officers per 100,000 residents is below the U.S. average of 31 (Bureau of Justice Statistics 2001 1.8). The largest numbers of federal agents here served in the U.S. Customs Service¹³ and Immigration and Naturalization Service.¹⁴ Table 3-1 details the number of officers in Washington by federal agency.

TABLE 3-1 Federal Officers Authorized To Carry Firearms And Make Arrests In Washington State – 2000		
Federal Agency	Number of Officers	Federal Offices in Washington State (Where Known)
Immigration and Naturalization	276	District Offices in Spokane and Seattle Stations: Colville, Oroville, Pasco, Spokane, Wenatchee
Federal Bureau of Investigation	130	Field Office: Seattle Resident Agencies: Bellingham, Everett, Olympia, Richland, Silverdale, Spokane, Tacoma, Vancouver, Wenatchee, Yakima
U.S. Customs Service	310	Field Office: Seattle Ports of Entry: Blaine, Longview, Oroville, Seattle, Sumas, Tacoma
Drug Enforcement Administration	85	Statewide Offices: Blaine, Seattle, Spokane, Tacoma, Tri-Cities, Yakima
U.S. Postal Inspection Service	57	Offices are located within every zip code in Washington
U.S. Marshals Service	45	Eastern District of Washington in Spokane Western District of Washington in Seattle
Internal Revenue Service	40	Local Offices: Bellevue, Bellingham, Everett, Kennewick, Olympia, Seattle, Silverdale, Spokane, Tacoma, Vancouver, Yakima
Bureau of Alcohol, Tobacco and Firearms	34	Field Offices: Seattle, Spokane, Yakima

Source: US Department of Justice Bureau of Justice Statistics 2001 10 (numerical data)

¹³ Beginning March 1, 2003, the enforcement and investigative arms of the Customs Service, the investigative and enforcement functions of the former Immigration and Naturalization Service, and the Federal Protective Service, merged into the Bureau of Immigration and Customs Enforcement, U.S. Department of Homeland Security.

¹⁴ Since the reorganization of government agencies after September 11, 2001, the INS became the Bureau of Citizenship and Immigration Services (BCIS) within the Department of Homeland Security (DHS).

Several other federal agencies maintain law enforcement presence in Washington.

Five **U.S. Fish and Wildlife Service, Division of Law Enforcement** agents enforce federal wildlife protection laws, conduct investigations, and operate wildlife inspection programs in Washington. Inspectors working in Seattle are members of the Puget Sound Anti-Smuggling Group, a collaboration of 15 state, county, and federal law enforcement agencies concentrating on the smuggling of contraband into the U. S. via Seattle air, sea, and rail ports of entry (U.S. Fish and Wildlife 2001, 10, 22).

Region 10 of the **U.S. Environmental Protection Agency (EPA)** covers Washington, Oregon, Idaho and Alaska. The Criminal Law Enforcement Program identifies, apprehends and assists prosecutors in convicting those who violate federal environmental laws (U.S. Environmental Protection Agency 2003). The EPA maintains a criminal investigation office in Seattle.

The **National Marine Fisheries Service, National Oceanic and Atmospheric Administration**, protects living marine resources. Covering Oregon, Idaho and Washington, the Northwest Enforcement Division's primary regional concerns are the Endangered Species Act and the Marine Protection Act, and the protection of salmon and whales. Twenty sworn officers conduct investigations in Washington, often in collaboration with the Washington State Department of Fish and Wildlife. Officers also work closely with U.S. Coast Guard, Immigration and Customs and Border Patrol (Vinish July 31, 2003).

The **U.S. Department of Agriculture, Forest Service Law Enforcement and Investigations** employs special agents to investigate violations of criminal and administrative provisions under the U.S. Code, such as theft of government property, timber theft, distribution of controlled substances, and archeological and cultural resource violations. Law enforcement officers also conduct general patrol of forestland. Officers carry firearms, make arrests, present cases for prosecution by the U.S. Attorneys and prepare investigative reports (U.S. Forest Service 2003). In Washington, 25 sworn officers handle criminal investigations and general patrol duties (Severson July 31, 2003).

The **United States Park Police** is a unit of the National Park Service, which is part of the U.S. Department of the Interior. Park Police have jurisdiction in all National Park Service areas and certain other federal and state lands. Created in 1791, the U.S. Park Police are responsible for preventing and detecting criminal activity, conducting investigations, apprehending individuals who break laws, protecting a visiting President or foreign dignitaries, and guarding monuments and memorials. All national parks have law enforcement. For example, at Mount Rainier National Park, there are 15 permanent law enforcement rangers (Woodward August 20, 2003).

The U.S. Coast guard has enforcement jurisdiction over all navigable waterways.

In Washington, the military also has a law enforcement presence, although exact numbers cannot be released because of security concerns. The **U.S. Coast Guard's** 13th District is responsible for operations in Idaho, Montana, Oregon and Washington. Their enforcement jurisdiction covers all navigable waterways and waterways where there is interstate commerce. Coast Guard law enforcement personnel primarily conduct homeland security missions, drug interdiction and fisheries enforcement, but they also enforce all federal

laws and regulations. In the Coast Guard, anyone who is a level E-4 with command approval has law enforcement authority. The **U.S. Army Criminal Investigation Command** responds to criminal investigations where the army has an interest. The **Naval Criminal Investigative Service** conducts felony criminal investigations and counterintelligence for the Navy and the U.S. Marine Corps. They have offices in Bremerton, Whidbey Island and Everett. The **Air Force Office of Special Investigations** handles criminal investigations for the Air Force and the Department of Defense.

Tribal Law Enforcement

Criminal justice jurisdiction on tribal lands is determined by a combination of law (tribal, state and federal) and treaty. Tribes generally have their own criminal statutes and law enforcement agencies, which have authority over Native Americans within the boundaries of reservation land.¹⁵ Two hundred thirty-seven commissioned tribal police officers worked in Washington in 2001 (Washington Association of Sheriffs and Police Chiefs 2001 85).

Jurisdictional issues often surface in Indian country¹⁶, in part because tribal police do not have authority to arrest non-tribal members, or authority over private lands within a reservation. Court cases and legislative actions over time have rendered the situation quite complex; but to put it simply, “Jurisdiction over crimes in Indian country depends on several factors, including the identity of the victim and the offender [Indian or non-Indian], the severity of the crime [specific serious crimes come under U.S. federal, not tribal, jurisdiction], and where the crime was committed” (Office of Justice Programs 2002 2).¹⁷

From a practical standpoint, non-tribal law enforcement officers may be hours away from a reservation crime scene, and so unable to respond swiftly; in addition, non-tribal agencies may not have resources to respond to incidents outside their own geographic jurisdictions. One result in Washington has been increased use of tribal areas by organized drug traffickers, as a perceived safe zone for their operations. Often, tribal police are not equipped to handle the problems drug traffickers present, and federal agencies do not routinely investigate such drug cases (Governor’s Council on Substance Abuse Report 2002 32).

The Bureau of Indian Affairs (BIA) funds tribal law enforcement under the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638). In recent years, the U. S. Department of Justice

¹⁵ Washington State does exercise civil or criminal jurisdiction over tribal members on tribal lands in the following situations: compulsory school attendance, public assistance, domestic relations, mental illness, juvenile delinquency, adoption proceedings, dependent children, and the operation of motor vehicles on public roads (Washington State House of Representatives 2003).

¹⁶ DOJ FY2002 Office of Justice Programs and Office of Community Oriented Policing Services Grants awarded to tribes in Washington State are listed on-line (Office of Justice Programs n.d.).

¹⁷ Chapter 5 of a 2003 U.S. Commission on Civil Rights report, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country*, discusses this issue in non-technical terms, and directs readers to more detailed sources (U.S. Commission on Civil Rights 2003 67-82).

The violent crime rate on Indian reservations is two to three times that on non-Indian lands.

(DOJ) has increased grants and technical assistance to tribes nationally, although a number of these DOJ programs have or are scheduled to lose funding (U.S. Commission on Civil Rights 2003 75-76). Some tribes dedicate additional funds. The state also gives a small amount of money to tribal law enforcement agencies.

Across the U. S., Native American law enforcement agencies have access to an estimated 55 to 80 percent of the law enforcement resources available in other communities. As the table below reveals, Indian country spending on law enforcement staffing and budgets falls well below that elsewhere in the U.S. (Wakeling 2001 27).

TABLE 3-2 Resources Available to Police Departments in Indian Country				
	Indian County	Comparable Non-Indian Jurisdictions: Small, Rural	National Average	Comparable Non-Indian Jurisdictions: High Crime
Officers per 1,000 residents	1.3	1.8-2.0	2.3	3.9-6.6
Law enforcement dollars per capita	\$83	\$104	\$131	N/A
Dollars spent per employee	\$36,000	\$43,400	\$48,200	N/A
Data sources: Executive Committee for Indian Country Law Enforcement Improvements 1997; Federal Bureau of Investigation 1997; Reaves 1996; Reaves and Goldberg 1998				

Source: Wakeling 2001 27

These and other factors contribute to a reservation violent crime rate that is between two and three times that found elsewhere in the US (Wakeling 2001 27).

Some police agencies are administered by an associated tribe; typically, BIA “638” contracts establish their organizational framework and performance standards and provide basic funding for actual law enforcement work. Officers are tribal employees. The largest of these tribally-run departments is that of the Yakama Nation, with 31 full-time sworn personnel policing a reservation 2,153 square miles, and a 1999 population of 15,968 (Office of Justice Programs 2003 2). Other nations, such as the Hoh and Spokane Tribes, have police agencies that are run by the federal government under 638, and law enforcement are federal employees.

The Northwest Association of Tribal Law Enforcement Officers, a non-profit coalition of tribal police organizations started in 1976, provides a forum for tribal personnel to share resources and ideas.

Snapshot Of State And Local Law Enforcement

Local law enforcement officers work for municipal police agencies and county sheriff’s departments. They undertake the majority of street-level law enforcement work in Washington. Depending on their assignments, officers employed by state and local governments may conduct patrols and investigations, answer calls for service, resolve community problems, enforce traffic laws and generally provide for public safety within their jurisdictions.

The Washington Association of Sheriffs and Police Chiefs (WASPC) compiled a count of full-time public law enforcement personnel in

Washington as of October 31, 2001. Commissioned officers are those certified to carry a weapon by the Washington State Police Academy. Civilian employees are support and administrative staff who do not carry weapons.

TABLE 3-3
Full-Time State, Local
and Tribal Law Enforcement
October 31, 2001

Sheriff's Offices	
Commissioned	2,468
Civilian	1,123
Total	3,591
Police Departments	
Commissioned	6,016
Civilian	1,908
Total	7,924
Washington State Patrol	
Commissioned	1,021
Civilian	1,326
Total	2,347

Source: Washington Association of Sheriffs and Police Chiefs 2001 85

During 2001-2002 the Washington state criminal justice Training Commission certified 9,600 peace officers.

The Washington State Criminal Justice Training Commission (CJTC) oversees training, certification and licensing of all law enforcement officers except state troopers. Before graduating, CJTC recruits complete 720 hours of basic law enforcement academy training that includes criminal law and procedures, traffic enforcement, cultural awareness, communication skills and patrol procedures. During 2001-2002, CJTC certified 9,600 peace officers¹⁸ and licensed 2,059 private security guards and detectives who carry firearms (Washington State Criminal Justice Training Commission 2002 1, 2). Between August, 2002 and July, 2003, CJTC instructors trained 191 officers for police and sheriff departments, tribal law enforcement agencies, the state Gambling Commission and Washington's Department of Fish and Wildlife (Elliott July 30, 2003).

Prospective state troopers go through a rigorous selection process, and complete a 26-week basic training course at the Washington State Patrol Academy near Olympia, followed by eight weeks of practical field instruction. In addition to trooper basic training, the Academy includes training in communications, firearms, commercial vehicle enforcement, first aid, basic supervision, management, and other fields related to law enforcement. Nationally-known training programs include water safety, an emergency vehicle driving course, and collision investigation. About 50 new troopers graduate from the Academy each year.

State Law Enforcement

Washington State Patrol

Established in 1921 to police Washington's highways, the Washington State Patrol (WSP) now operates under authority from RCW 43.43.010 and RCW 43.43.020, which give officers full police power. WSP staffs random patrols

¹⁸ "Peace officer" means a duly appointed city, county, or state law enforcement officer (RCW 9A.04.110).

The Washington Association of Sheriffs and Police Chiefs' 2001 count recorded 1,021 commissioned and 1,126 civilian Patrol employees (2001).

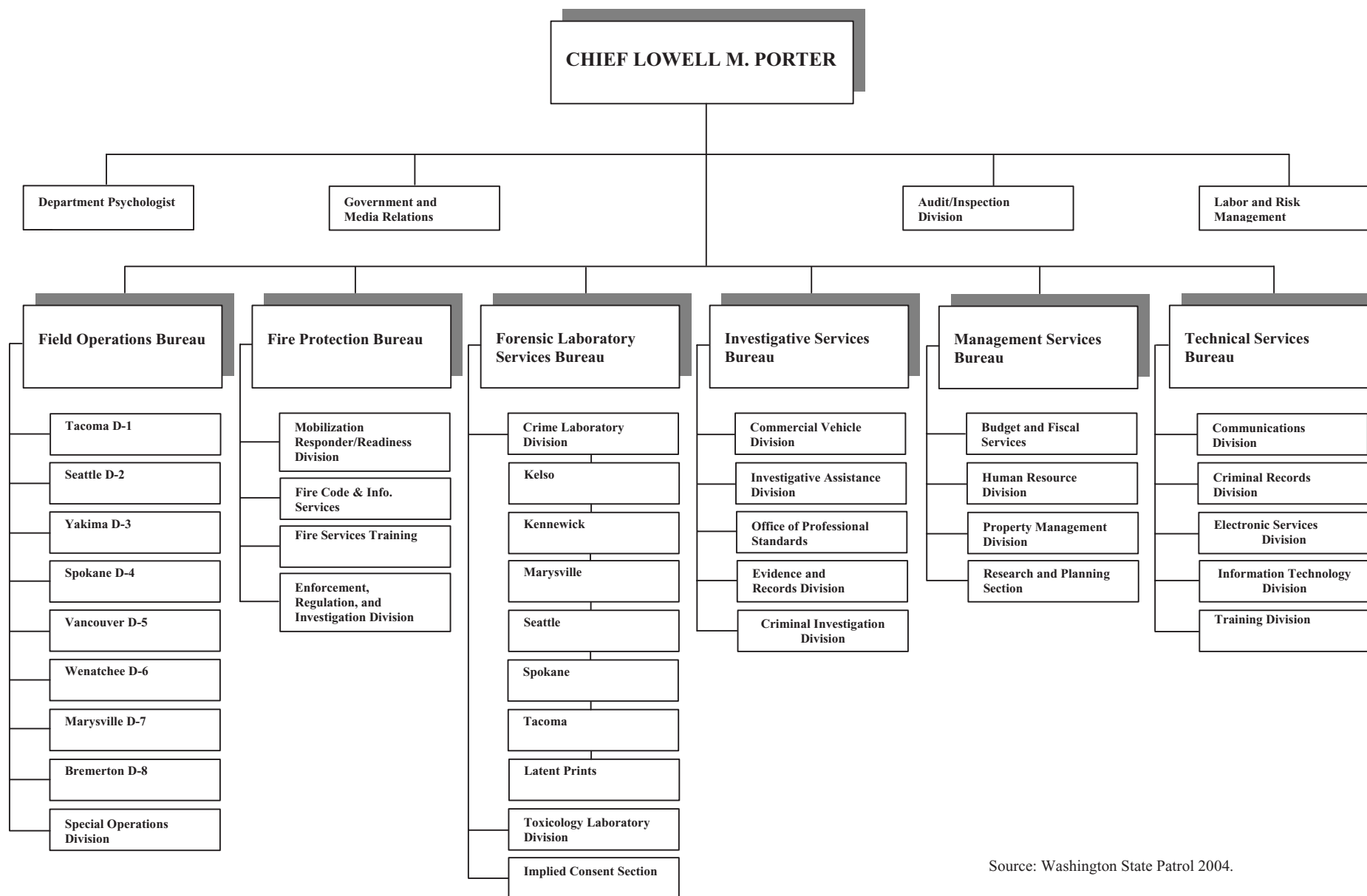
and reactive responses to calls for service. WSP is guided by a Problem Oriented Public Safety (POPS) philosophy that fosters development of partnerships among the WSP, citizens, and other stakeholders. The Governor appoints the WSP's Chief. The Washington Association of Sheriffs and Police Chiefs' 2001 count recorded 1,021 commissioned and 1,126 civilian Patrol employees (2001). The majority of WSP's full-time employees (FTE) are in highway traffic enforcement and emergency operations (970.6 FTE) with the next largest FTE assignment (237.5 FTE) in commercial vehicle safety enforcement and inspection of school buses and commercial motor vehicles and their drivers (Washington State Office of Financial Management 2002).

Arrest Category	2002	2001	% Change
DUI	18,513	14,617	+26.6
Hit-and-Run	708	703	+0.7
Reckless Driving	1,670	1,528	+9.2
Negligent Driving	4,722	4,346	+8.6
Felony Eluding	266	240	+10.8
Failure to Yield Right-of-Way	2,487	2,224	+11.8
Child Restraint	4,154	2,817	+47.4
Driving with License Suspended	23,130	20,643	+12.0
Seat Belt Violations	65,603	39,729	+65.1
Speed	24,542	21,728	+12.9
Speed – Aircraft	9,832	3,584	+174.3
Speed – Radar	207,395	140,411	+47.7
Speed – Too Fast for Conditions	9,764	9,226	+5.8
Hazardous Materials	95	75	+26.6
Motor Vehicle Theft	187	135	+38.5
Misdemeanor Warrants	8,532	6,176	+38.1
Felony Warrants	2,336	1,892	+23.4
Drugs	8,564	6,023	+42.1
Uninsured Motorists	34,404	27,791	+23.7

Source: Washington State Patrol 2002c 2

Although WSP focuses primarily on traffic enforcement and safety, the Legislature has extended the agency's role to include criminal law enforcement assistance and fire protection, as can be seen in the chart on the next page. About half (1,000) of WSP's personnel are commissioned officers, who have completed training and earned certification to carry a weapon.

FIGURE 3-1
Washington State Patrol – Organizational Chart
 January 2004



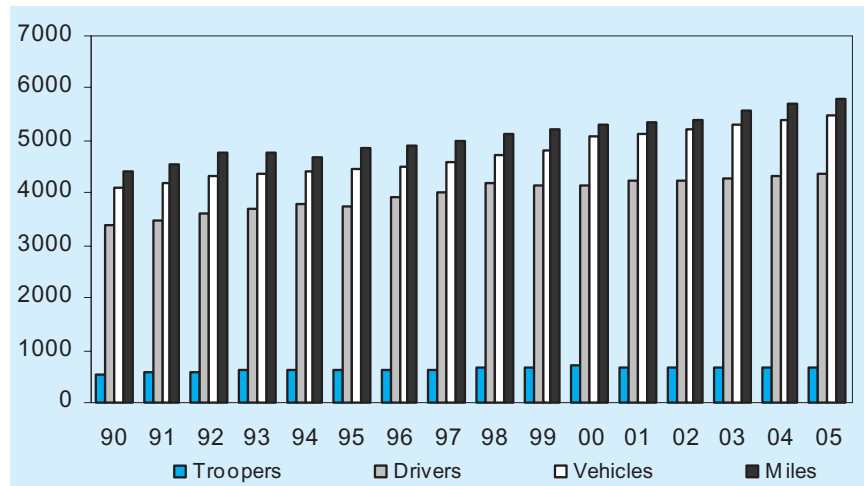
Source: Washington State Patrol 2004.

The number of registered motor vehicles in Washington topped 6 million in 2001. Almost three-quarters of the state's residents (4.3 million of 5.97 million state population) are licensed drivers.

The WSP's **Field Operations Bureau** is primarily responsible for traffic law enforcement, and handles collision investigation and assistance to motorists on 17,524 miles of state and interstate highways. The bureau is composed of eight geographical districts, and the Special Operations Division, the Explosives Unit, Honor Guard, Canine Unit, Aviation Section, Executive Protection Unit, and Vessel and Terminal Security.

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FIGURE 3-2
Troopers and Washington Drivers



Source: Washington State Patrol 2002a A-26.

The WSP's **Investigative Services Bureau (ISB)** consists of five divisions that provide various public services, including weighing and inspection of commercial vehicles and school buses, narcotics investigation and dismantling of drug labs, fatality, criminal, missing children investigations, computer forensics and organized crime intelligence. Although not a complete record of this Bureau's work, the tables below detail some of the WSP ISB responsibilities.

TABLE 3-5 Commercial Vehicle Services		
Service Statistics	2002	2001
Trucks Weighed	1,975,055	1,453,786
Permit Revenues (in dollars)	942,486	997,923
Permits Sold	31,838	33,129
School Bus Inspections	11,296	10,811
Private School Bus Inspections	21	59
Commercial Vehicle Safety Alliance Inspections	115,884	74,105
Truck Inspections – Vehicles Out of Service	16,175	14,764
Truck Inspections – Drivers Out of Service	5,334	4,880

Source: Washington State Patrol 2002b 6

ISB's Missing and Exploited Children's Task Force assisted in the investigation of 57 cases, and the Missing Children Clearinghouse assisted with 490 cases involving custodial interference or missing children, a 36 percent increase from 2001.

TABLE 3-6 Special Weapons and Tactics Team (SWAT)		
Response Description	2002	2001
Methamphetamine Labs	226	343
Tactical Responses	40	12
Turndowns	23	86
Total Calls for Service	356	492

Source: Washington State Patrol 2002b 7

TABLE 3-7 Criminal Investigation Division		
Investigations	2002	2001
Total Cases Opened	1,217	*
Total Physical Arrests	184	*
Felony Vehicular Homicide Investigations	60	*
Felony Vehicular Assault Investigations	140	*
Crime Scene Response Assists/Other Agencies	135	102
Vehicles Stolen in Washington State	39,370	37,476
Auto Theft Cases	361	302
Stolen Vehicles Recovered	278	95
Auto Theft Arrests	59	19
Vehicle Identification Number (VIN) Inspections	46,518	56,363
Fuel Tax Evasion Collections (in dollars)	427,117	179,345
Fuel Tax Evasion Assessments (in dollars)	1,028,329	1,158,617

* Data not available

Source: Washington State Patrol 2002b 7

In addition, ISB's Missing and Exploited Children's Task Force assisted in the investigation of 57 cases, and the Missing Children Clearinghouse assisted with 490 cases involving custodial interference or missing children, a 36 percent increase from 2001 (Washington State Patrol 2002c 6).

Within WSP's Intelligence Unit, the Organized Crime Advisory Board oversees the Organized Crime¹⁹ Intelligence Division. This legislatively created body, made up of fourteen voting and two nonvoting members, advises the Governor on coordination of the organized crime intelligence effort (RCW 43.43.858).

The **Support (Technical) Services Bureau** provides overall administrative and support services to the Patrol's traffic and investigation programs, and to other law enforcement agencies. Through its Criminal Records Division, this Bureau manages four statewide criminal records systems. ACCESS (A Central Computerized Enforcement Services System), provides telecommunication linkages to all law enforcement and criminal justice agencies in Washington, and allows contact nationwide through the National Law Enforcement Telecommunications Center files. The Washington Crime Information Center (WACIC) collects and makes available several types of information from around the state, including data about missing persons and stolen property.

¹⁹ Organized crimes are those activities conducted by members of an association, engaged in supplying illegal goods and services and/or engaged in criminal activities (RCW 43.43.852).

Finally, the Washington State Identification System (WASIS), the statewide repository for fingerprint-based criminal history record information, is used by law enforcement and criminal justice personnel to track arrest and conviction data. WATCH (Washington Access To Criminal History) is this system's online access site. Volume of the WSP's work in several records-related categories during the years 2000 and 2001 appears on the chart below.

TABLE 3-8 Criminal Records Division		
Criminal History Statistics	2002	2001
Public Inquiries	107,857	105,778
Child/Vulnerable Adult Inquiries	41,788	53,789
Fingerprint Cards Received	314,947	304,478
Fingerprint Card Upgrades	254,123	171,117
New Fingerprint Records Added	95,345	34,042
Online checks through WATCH	734,295	838,128
Active Online Users of WATCH	10,315	8,317
Processed Records Requests (in dollars)	5,034,408	5,128,193
Disposition (All Types)	267,354	289,163

Washington State Patrol 2002b 5

The WSP's **Office of the State Fire Marshal, Fire Protection Bureau**, provides services including fire incident reporting and data collection, investigation, fire code review, fire inspections for vulnerable populations, and regulation of fireworks and sprinkler systems through a licensing program. This Bureau also operates the State Fire Training Academy and Certification Program through a standards and accreditation process.

TABLE 3-9 Fire Protection Bureau		
Activity	2002	2001
Hazardous Materials/Terrorism Training	1,845	1,258
Annual Initial and Follow-up Inspections Conducted	1,932	2,490
Nursing Home Facilities Inspected	292	286
Boarding Home Facilities Inspected	599	603
Group Home Facilities Inspected	30	41
Child Care Centers Inspected	375	354
Boarding Home Fire Sprinkler Retrofits	24	21
School Plan Review Projects	11	7
Plan Reviews – Ongoing Projects	18	--
Plan Reviews – Completed Projects	7	--
Plan Review – Project Values (not including schools) (in dollars)	370,000,000	--
Fire Sprinkler Contractor Licenses	266	268

Washington State Patrol 2002b 10

The Forensics Lab Sciences Bureau conducted 3,941 death investigations in 2002.

The **Forensic Lab Sciences Bureau** provides a wide range of assistance to law enforcement officers across the state, helping at crime scenes, preparing evidence for trial, and providing expert testimony. The Bureau coordinates the work of the State's Breath Alcohol Test Program, Drug Evaluation and Classification Program, six Crime Laboratories, the Latent Print Laboratory, and the State Toxicology Laboratory. Bureau staff conducted 3,941 death investigations, and received 2,800 DUI and 941

During 2001, Washington's law enforcement agencies sent WSP crime labs 14,151 controlled substance cases, in which suspected evidence is chemically analyzed for drug content (Washington State Patrol 2002c 10).

drug cases in 2002, increases in each category over 2001 (Washington State Patrol 2002c 9).

The Bureau's Crime Laboratory Division provides forensic services to over 300 law enforcement agencies in Washington, at four full service (Seattle, Tacoma, Marysville, and Spokane) and three limited service crime labs (Kelso, Kennewick, and Tumwater). Staff analyze physical evidence relating to crimes, and perform deoxyribonucleic acid (DNA) typing for adults and juveniles convicted of violent or sexual offenses. During 2001, Washington's law enforcement agencies sent WSP crime labs 14,151 controlled substance cases, in which suspected evidence is chemically analyzed for drug content (Washington State Patrol 2002c 10).

DNA testing helps law enforcement identify perpetrators of crime. In 1970, research scientists concluded that components of human genes are arranged in patterns as unique as those of a fingerprint, thereby allowing identification of individuals solely from their genetic material. Today, the use of DNA testing is widespread. By drawing on the data in ever-growing DNA databanks, forensic scientists can attempt to match the DNA found at a crime scene with that of a specific suspected perpetrator. In a high-profile Washington case, the Green River serial murders, the Seattle Crime Laboratory performed the DNA analysis that led to identification of the murderer.

Maintaining DNA databanks is time consuming and costly. As DNA testing becomes more widely understood, law enforcement personnel are sending more and a wider variety of samples for testing. One forensic scientist can complete the samples of roughly six or seven cases per month; the Bureau currently employs 25 scientists and has a backlog of 500 cases. In an effort to speed analysis, Washington's Crime Lab recently converted its databank to the new short tandem repeat (STR) technology and added all Washington samples into the FBI's Combined DNA Index System (CODIS). The widely adopted STR technology allows scientists to make rapid determinations with small amounts of DNA (Hebert July 28, 2003).

The WSP operates the Washington State Toxicology Laboratory in Seattle, which performs drug and alcohol testing at the request of coroners, medical examiners, law enforcement agencies, prosecuting attorneys, and the state Liquor Control Board. The laboratory handles an average of 8,000 cases per year (Washington State Patrol 2001 2).

Finally, WSP's **Management Services Bureau** supports the work of the Patrol through the Human Resource Division, the Property Management Division, and Budget and Fiscal Services.

Funding

The Patrol's funding comes primarily from motor vehicle license fees, which are deposited in the State Patrol Highway Account. Because the 18th Amendment to the Washington State Constitution limits the use of motor vehicle funds for certain purposes, the Patrol's criminal justice activities are funded separately through the state general fund, the Public Safety and Education Account, and accounts dedicated to a specific purpose, such as the Fingerprint Identification Account and the Fire Services Training Account (Washington State Patrol 2002b A-2).

SHERIFFS

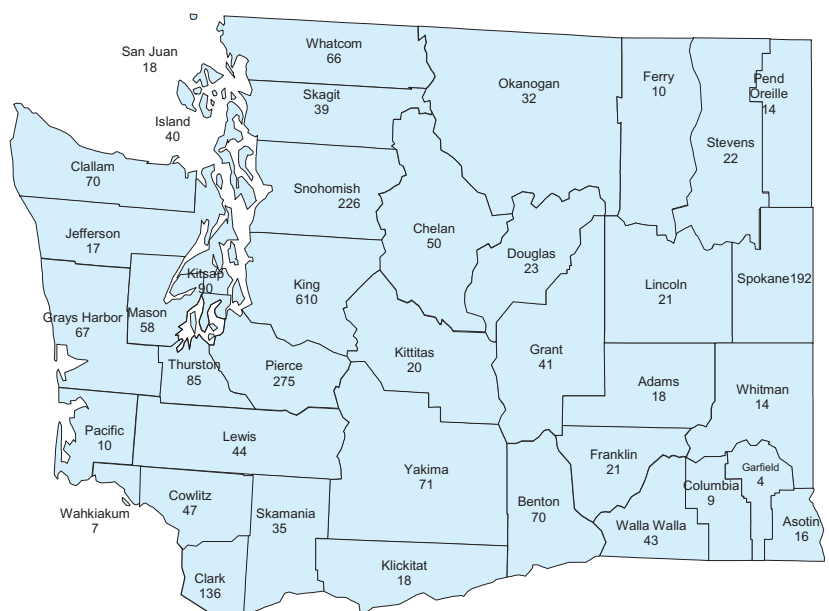
Washington law identifies “the sheriff” as “the chief executive officer and conservator of the peace of the county” (RCW 36.28.010). Sheriffs’ statutory responsibilities include arresting and jailing those who violate the law, defending the county against those who endanger public peace, executing and processing all court orders and warrants, attending court sessions, and making a complaint of all violations of criminal law within the jurisdiction. In most counties, the sheriff is also responsible for managing the 911 communications center, emergency services, and the county jail.

The size of Washington state Sheriff’s offices vary from four to 610 personnel certified to carry weapons.

All sheriffs are elected for a four-year term, with the exception of the Pierce County Sheriff, who is appointed by, and reports to, the County Executive. Each sheriff’s office has jurisdiction over a whole county, including towns and cities within that county that contract for specific law enforcement services. More than 25 sheriff departments currently contract their services to cities and other entities (Washington Association of Sheriffs and Police Chiefs 2001). The King County Sheriff’s Office, for example, provides policing services to 13 cities within the county, and to the Muckleshoot Indian Reservation and Metro Transit (Fagerstrom July 25, 2003). Services offered to cities by local sheriff’s offices include responding to in-person, phoned-in complaints, patrol in areas that are determined by crime analysis and research as likely to be impacted by new criminal activities, community policing, criminal investigation, communications, records, crime analysis, supervisions and specialty services like air support, bomb disposal and canine units.

Sizes of Washington’s sheriff’s offices vary from four to 610 personnel certified to carry a weapon. In the 39 counties during 2001, there were 2,468 commissioned officers. (Washington Association of Sheriffs and Police Chiefs 2001 85).

FIGURE 3-3
Sworn Personnel in Sheriff’s Offices in Washington Counties 2002



Source: Data from National Public Safety Information Bureau 2002 412-414

201 of 268 towns and cities in Washington state support police departments.

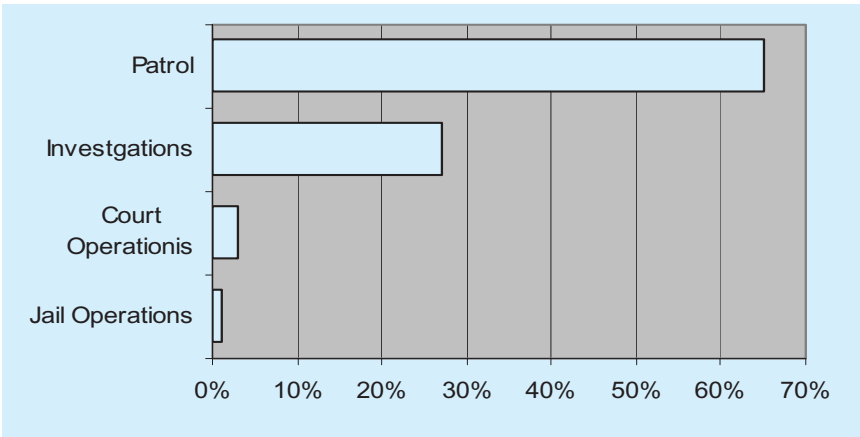
POLICE

In 2002, 201 of Washington’s 268 towns and cities supported a police department (National Public Safety Information Bureau 2002 xvi), as authorized by Article XI, §11 of the state constitution. State law requires cities to appoint a chief law enforcement officer (RCW 35A.12.020) and towns a town marshal (RCW 35.27.070). Cities and towns can also contract with another jurisdiction to provide law enforcement. As noted above, some 25 of the state’s 39 county sheriff departments currently provide services to other entities, including towns and cities.

Municipalities are not required to maintain specific staffing levels in relation to population. Nationally, in 2000, local police departments (including Washington D.C.)²⁰ hired an aggregate average of 157 sworn personnel per 100,000 residents. According to the Bureau of Justice Statistics, Washington’s local jurisdictions together support only 98 sworn police personnel per 100,000 residents. Only one state, West Virginia, reported fewer local officers responding to calls per 100,000 residents (Reaves 2002 7).

Typically across the US, police agencies are usually divided into geographic districts so that police officers become very familiar with the communities they protect. Police officers identify and arrest suspected offenders, resolve neighborhood and domestic disturbances, file reports and enforce traffic laws. Local law enforcement personnel spend the majority of their time in patrol duties, but they also participate in investigations, attend court proceedings and have duties related to jail operations.

FIGURE 3-4
Selected Areas of Duty For Full-time Sworn Personnel In
U.S. Local Police Departments, 2000



Source: Reaves 2002 6

²⁰ In their report on the 2000 census of state and local law enforcement, the Bureau of Justice Statistics defines “local law enforcement” as including “general purpose local police departments,” the large majority of which are operated by municipal governments. The “local” category also took in county, tribal and multi-jurisdictional police agencies. The tribal category excluded police agencies operated by the Bureau of Indian Affairs, which provides police services to a few tribes in Washington State (Reaves 2002 5).

Washington's ports make up the largest locally controlled public port system in the world.

Washington's police officers attend training at the Criminal Justice Training Commission as a condition of their employment. They must complete Basic Academy Training to learn skills such as criminal law and procedures, traffic enforcement, cultural awareness, communication skills, emergency vehicle operations course, firearms, crisis intervention, patrol procedures, criminal investigation and defensive tactics. Upon completion of 720 hours of training, officers become fully commissioned.

Special Police Agencies

Washington Ports

Washington's ports make up the largest locally controlled public port system in the world, with 76 port districts located in 33 counties. These districts handle seven percent of U.S. exports and six percent of all imports. The Port of Seattle and Port of Tacoma, combined, comprise the second largest container complex in North America, after Los Angeles/Long Beach (Washington Public Ports Association 2003).

Ports have authority to hire their own police personnel, with full police powers, under RCW 53.08.280. Port police officers ensure that cargo containers received are secure; intercept alleged terrorists, smugglers, other criminals and undocumented immigrants seeking entry to the United States, and enforce federal and state laws. Currently, the Port of Seattle and Port of Pasco employ their own officers to patrol port-owned and -operated property. Seattle retains 107 officers, with over 80 percent of these officers at the SeaTac Airport (Anderson July 28, 2003); the Port of Pasco force is composed of four full-time commissioned officers and nine part time officers (Owen July 29, 2003).

Campus Police

Despite occasional perceptions of colleges and universities as isolated and idyllic, Washington's campuses are not free of crime. In 2002, Washington's six four-year state institutions alone reported a total of 38 violent and 1,910 property crimes (WASPC 2002). The National Public Safety Information Bureau's directory documented 307 law enforcement officers working on 41 campuses across the state in 2002, and this was an incomplete list (682-683).²¹

Although they frequently supplement their services through cooperation with local sheriff and police departments, colleges and universities generally acknowledge unique security needs. Authority to hire campus law enforcement personnel comes from state statute for state schools; private schools receive authorization through their Boards of Trustees (Thompson July 29, 2003).

Campus law enforcement personnel may be commissioned officers who have completed training at the Washington State Criminal Justice Training Commission and are qualified to carry a gun and make arrests. Some campuses hire non-commissioned security employees to patrol the

²¹ The Washington Higher Education Coordinating Board lists 11 campuses of public four-year institutions, and 34 degree-granting public community and technical schools, in addition to the private colleges and universities operating in this state.

In Washington 33 of the 39 counties elect coroners.

grounds, open and close buildings, and conduct fire/safety checks, relying on city police departments to provide criminal services.

Coroners and Medical Examiners

Coroners and Medical Examiners investigate sudden, unexpected, violent and suspicious deaths by gathering evidence from witnesses and examining the body externally and internally. Thirty-three counties in the state elect coroners; the remaining six appoint medical examiners. In four Washington counties (Jefferson, Kittitas, Pacific and San Juan), elected prosecutors serve as coroner.

The **Washington State Forensic Investigations Council**, a 12-member committee appointed by the Governor to oversee death investigations and state toxicology and crime labs, is made up of law enforcement, coroners, civic and county elected leaders, private forensic pathologists, and one medical examiner. Currently, the Council is developing relevant sudden child death training for county coroners, medical examiners, law enforcement and other first responders.

The **Washington Association of Coroners and Medical Examiners** gives these professionals the opportunity to exchange information concerning duties, methods and official practices and to promote cooperation with law enforcement and the medical community.

State Agencies Law Enforcement

Several state agencies hire enforcement personnel to fulfill specific functions.

The Washington Department of Fish and Wildlife's (WDFW) enforcement program ensures compliance with habitat protection requirements; responds to emergency situations involving bear, cougar and other dangerous wildlife; protects the state's fish and wildlife resources by enforcing fishing and hunting rules and regulations; and assists other law enforcement departments in emergency response (Washington Department of Fish and Wildlife 2003a). The Program is primarily responsible for enforcing Titles 75 and 77, the Fish and Wildlife section of Washington state law. The 163 FTE officers hold federal U.S. Fish and Wildlife and National Marine Fisheries Service commissions, as well as Washington certification, and have jurisdiction over violations of federal laws and regulations, including the Endangered Species Act.

Law enforcement within WDFW is divided into six regional offices, with an additional statewide marine detachment with jurisdiction over coastal waters, Puget Sound, and the Strait of Juan de Fuca. About 83 percent of an average officer's time is devoted to natural resource law compliance while the remaining time is spent ensuring compliance with other laws and wildlife protection (Washington Department of Fish and Wildlife 2003b).

In 2003, the WDFW Enforcement Program became the third fish and wildlife enforcement agency in the country to receive recognition from a national accreditation program, the Commission on Accreditation for Law Enforcement Agencies. Accreditation requires that 97 core standards be met relating to training, use of force procedures, evidence handling,

Although Liquor Control Board agents bear primary responsibility for liquor law enforcement, all commissioned officers of county sheriff and municipal police departments, and commissioned members of the Washington State Patrol, can enforce state liquor license laws.

records management and communications (Washington Department of Fish and Wildlife 2003a).

The **Liquor Control Board** oversees sale and distribution of alcohol beverages, a responsibility that includes licensing, enforcement, education and controlled distribution and merchandising systems. Eighty-five Liquor Enforcement Agents throughout the state investigate complaints of liquor and tobacco violations, conduct classes to discourage youth access to liquor, and deter sale of untaxed cigarettes. In 2002, the National Liquor Law Enforcement Association selected Washington's agents as Liquor Enforcement Agency of the Year (Washington State Liquor Control Board 2002 3).

Although Liquor Control Board agents bear primary responsibility for liquor law enforcement, all commissioned officers of county sheriff and municipal police departments, and commissioned members of the Washington State Patrol, can enforce state liquor license laws.

In 1973, the legislature established the **Washington State Gambling Commission** as a law enforcement agency, in response to reports of gambling corruption. RCW 9.46 details agency responsibilities, which include regulating authorized gambling, and controlling illegal gambling and related activities (Washington State Gambling Commission 2003). The Gambling Commission currently employs 99 commissioned law enforcement agents (Arland July 23, 2003).

The **Washington State Department of Ecology** (DOE) employs two full-time criminal investigators who, together with the federal Environmental Protection Agency criminal investigators, form the Ecology/EPA Criminal Investigations Task Force. Cases are referred to DOE by inspectors, members of the public or employees of violating companies. A total of 210 cases investigated between July, 1992 and June, 2001 resulted in 110 criminal convictions with penalties assessed of \$4,286,665 (Washington State Department of Ecology 2001 5, 7-8).

Headquartered in Olympia, the **Washington State Parks and Recreation Commission** employs 520 full-time employees. Two hundred and eleven of these are commissioned law enforcement personnel with full arrest power (Sweeney July 30, 2003). The Park Commission is currently requiring all new hire rangers to be armed. Rangers hired before November 1999 have the option to carry a firearm.

The **Washington Horse Racing Commission**, created in 1933 by the state legislature, licenses, regulates and supervises all race meets held in the state. Commissioners are appointed by the Governor to six-year terms. Two members of the House and two members of the Senate also serve as ex officio Commissioners. Four investigators oversee pari-mutuel wagering and horseracing (Leichner July 31, 2003).

Eight general authority personnel with full arrest authority handle law enforcement at **Washington State's Department of Natural Resources Enforcement Division**, aided by 70 limited authority personnel, who issue citations. Law enforcement personnel enforce laws such as RCW Titles 46 (Motor Vehicle laws), 76 (Forests), 77 (Fish and Wildlife) and under their own WAC 332.

Law Enforcement Support Coalitions

In recent years, many of Washington's law enforcement agencies have begun coordinating their efforts.

Northwest High-Intensity Drug Trafficking Area (NW HIDTA): HIDTAs across the U. S. support the National Drug Control Strategy to reduce drug trafficking, demand, money laundering, and drug-related violent crime. In addition to reducing demand by supporting treatment and effective demand reduction programs, NW HIDTA's purpose is to measurably reduce large scale importation and local drug trafficking by intercepting shipments, and disrupting local manufacturing and trafficking operations.

NW HIDTA unites existing efforts and funding sources to achieve greater effectiveness against drug law violators, in part by sponsoring 11 multi-jurisdictional task forces, and providing them with investigative support and intelligence information.

NW HIDTA unites existing efforts and funding sources to achieve greater effectiveness against drug law violators, in part by sponsoring 11 multi-jurisdictional task forces, and providing them with investigative support and intelligence information. Northwest HIDTA initiatives bring a unique combination of federal, state and local law enforcement and prevention programs together in 14 Washington counties: Cowlitz, Clark, King, Kitsap, Lewis, Pierce, Skagit, Snohomish, Thurston and Whatcom west of the Cascade Mountains, and Benton, Franklin, Spokane, and Yakima to the east.

Types of agencies participating in NW HIDTA efforts are detailed below. JTF-6 refers to a temporarily assigned military analyst who works on a drug case for six months. "Other HIDTA" refers to staff in HIDTA's central Seattle office.

TABLE 3-10 Participating Agencies in NW HIDTA—2002			
Type of Agency	Full Time People	Part Time People	Total
Federal	37	4	41
State	27		27
Local	43	8	51
National Guard	3		3
JTF-6		1	1
Other HIDTA	22		22
TOTAL	133	12	145

Source: Rodriguez August 20, 2003

Besides the drug interdiction work, HIDTA also has an Investigative Support Unit (ISU), and a Technical Equipment Program. In addition to the significant case analysis provided by the Analytical Unit, ISU staff maintains a Watch Center map, which plots all planned drug arrests, sales, money pickups, raids and surveillance. Using the Western States Information Network (WSIN) as its primary database, Watch Center employees can prevent a potentially dangerous or fatal situation from occurring by coordinating investigations through its deconfliction system. As part of the Technical Equipment Program, HIDTA loans surveillance paraphernalia, such as night vision equipment, tracking devices and video recorders to law enforcement agencies.

20 multi-jurisdictional task forces work to interdict drugs through the combined efforts of law enforcement and prosecution.

Washington State Multi-jurisdictional Regional Narcotics Task Forces: Serving selected Washington counties and cities,²² 20 multi-jurisdictional task forces work to interdict drugs through the combined efforts of law enforcement and prosecution. Task force personnel target mid- to upper-level drug traffickers, most of whom are beyond the capabilities of local law enforcement agencies. By combining the resources, personnel, and equipment of multiple law enforcement agencies, task forces can pursue offenders across jurisdictions and leverage the use of limited resources.

Funding is provided by a formula Byrne Grant from the U. S. Department of Justice, Bureau of Justice Assistance, administered through contracts with the Washington Department of Community, Trade and Economic Development (CTED). CTED also contracts with WSP to provide the Task Forces with detectives and detective sergeants to assist local forces in narcotics investigation. Federal requirements mandate that the local jurisdiction must provide 25 percent of the funds for this work. Usually, this requirement is met through local staffing expenditures.

To share intelligence, the Task Forces use the Regional Information Sharing System (RISS) operated by the Washington State Information Network (WSIN), which includes Alaska, California, Hawaii, Oregon, and Washington. RISS is a federally funded program administered by the U.S. Department of Justice, Bureau of Justice Assistance. RISS offers timely computerized information on suspects and activities, analysis of multi-jurisdictional crime to connect subjects and identify conspiracies, and information sharing conferences with specialized training.

WASPC: Founded in 1963, the Washington Association of Sheriffs and Police Chiefs combines representatives of state, local and federal law enforcement. Members consist of executive and top management personnel from law enforcement agencies statewide, including sheriffs, police chiefs, WSP, DOC, and representatives of federal agencies.

Recognized as a local unit of government in 1982 (RCW 36.28A.010), WASPC works to strengthen the criminal justice system. WASPC offers Local Law Enforcement Block Grants to law enforcement agencies in seven purpose areas, ranging from law enforcement support services to crime prevention programs and multi-jurisdictional task forces.

Beginning in 1988, WASPC took over another project, the Jail Booking Reporting System. WASPC gathers jail information using the Felon Reporting System, which collects offender information on felons serving time in a local jurisdiction, and the Population Accounting System, which summarizes monthly counts of each jail's population. To date, WASPC is developing a plan to allow the jail booking information to be accessed within the Washington Justice Information Network (JIN). (See section 9.)

²² Current Task Forces for FFY 2003 include: City of Aberdeen, City of Bellevue, City of Chehalis, Clallam County, Clark County, Cowlitz County, Grant County, City of Kent, Kitsap County, City of Lacey, City of Mount Vernon, Okanogan County, City of Pasco, Pierce County, Snohomish County, Spokane County, City of Wenatchee, Whatcom County, Whitman County and Yakima County.

Approximately sixty-five law enforcement agencies are currently accredited in Washington, meaning their practices and policies comply with 442 WASPC and national standards.

Through two consultation programs, WASPC also provides policy and procedure review for law enforcement agencies. Management, consulting and technical assistance are offered to WASPC members who want to engage in a professional review of their services in the Loaned Executive Management Assistant Program (LEMAP). Qualified professionals in the law enforcement field conduct the review and help plan for improvement. Two agencies have participated in LEMAP studies this year (Curtright August 21, 2003).

Accreditation is another important WASPC service. Approximately sixty-five agencies are currently accredited in Washington, meaning their practices and policies comply with 442 WASPC and national standards. Each agency must renew their accreditation every three years; 21 agencies are up for renewal in 2004 (Curtright August 21, 2003).

Finally, WASPC offers Correctional Options Services, a consultant program that leases offender-monitoring equipment to cities that manage their own correctional program, or provides full service offender monitoring to a community. (Some offenders are electronically monitored following their release; others are monitored while they are under house arrest sentences.) WASPC helps about 50 communities and manages an average daily population of 650 offenders (McHenry August 19, 2003).

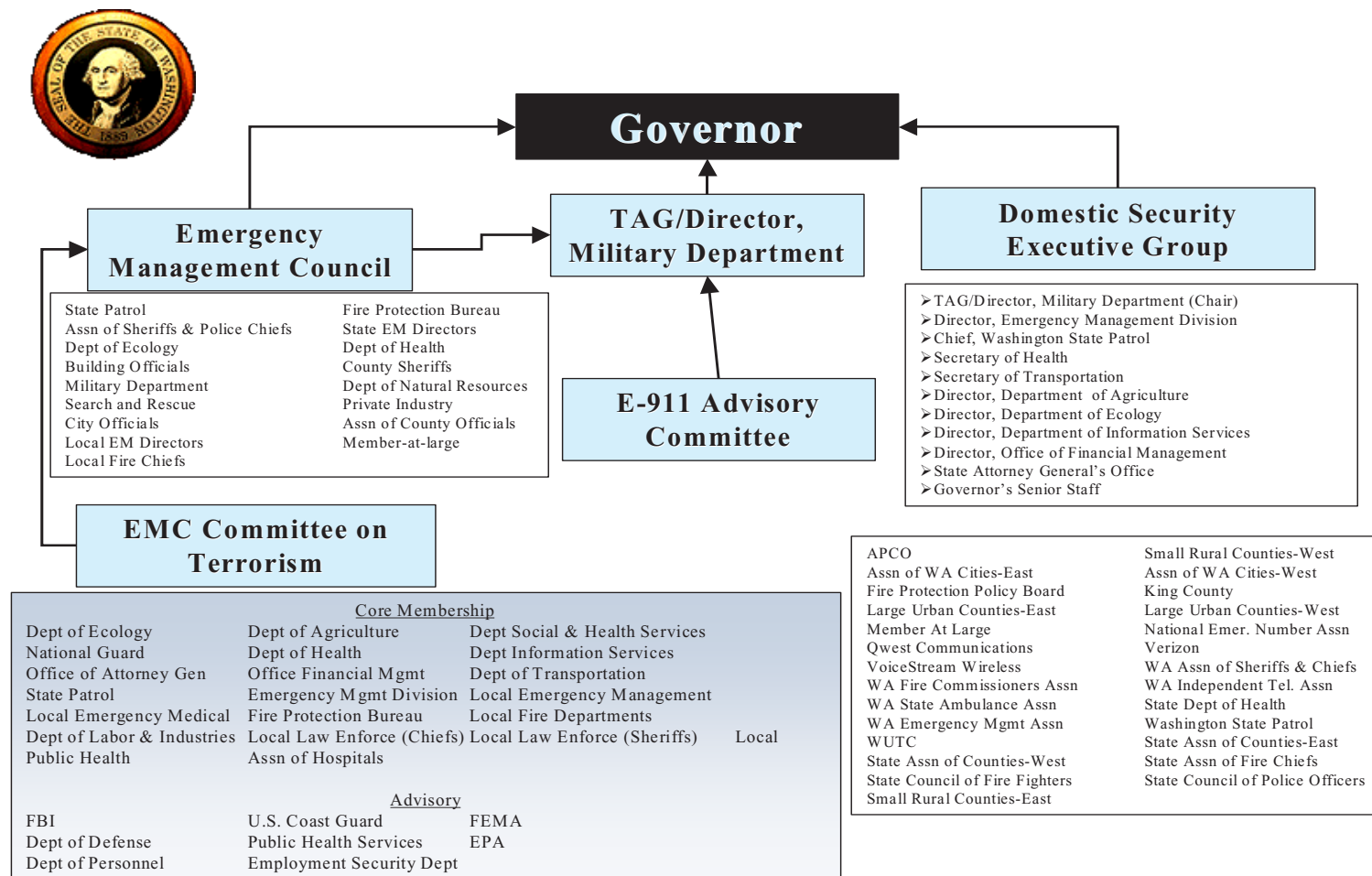
Terrorism And Law Enforcement Response

Since terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, states and the U. S. government have been planning for response to terrorist activity.²³ Washington, with its concentrated civilian populations, coastal waters, international border, large and isolated rural areas, and large nuclear and chemical storage facilities began its preparations in 1999, when Ahmed Ressam was caught trying to enter the state from Canada with a truck loaded with explosives. Despite this early start, challenges such as overlapping and competing jurisdictions, ineffective information exchange, and a state budget crisis have slowed and complicated Washington's anti-terrorist efforts.

Preparing the state for response to terrorist attack requires multi-jurisdictional efforts to coordinate a number of state and local entities, as shown by the infrastructure chart below. In May, 2003, Seattle took part in TOPOFF2, the most comprehensive terrorism response exercise ever undertaken in the United States. This involved a simulated "dirty bomb" explosion in Seattle, and a simultaneous simulated biological attack in Chicago. Twenty-seven local, county, state and federal offices and agencies were involved in the planning for this exercise (City of Seattle). Hundreds of residents and first responders and other public employees conducted the exercise over a 36-hour period.

²³ The Federal Bureau of Investigation defines terrorism as "the unlawful use of force, violence, or other criminal activity against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in the furtherance of political or social objectives" (Seattle Field Office, Federal Bureau of Investigation).

FIGURE 3-5
Governor's Domestic Security Infrastructure



As of 28 Dec 01

Law enforcement personnel are widely recognized to be among the most likely first responders (along with fire departments and emergency medical technicians) to a terrorist attack.

The FBI is the lead federal law enforcement agency in federal efforts against terrorism.

The Emergency Management Division (EMD) of Washington State's Military Department is responsible for managing emergencies statewide, as mandated by RCW Chapter 38.52.

State law also establishes the Emergency Management Council to advise the Governor. In January, 2000, the Council created a Committee on Terrorism (COT). COT is composed of members from a variety of fields, including law enforcement, and from multiple local and state government agencies. The Committee's purpose is to "recommend to the Emergency Management Council statewide strategies that address threats and acts of terrorism through mitigation, preparedness, response and recovery activities" (Emergency Management Division 2002b 1).

To date, COT has developed a statewide assessment of local first responder needs and capabilities, coordinated anti-terrorism training for first responders, obtained amendment of the Public Disclosure Act (RCW 42.17.310) to prevent the release of certain public records related to terrorism, and completed a statewide threat assessment and analysis and a confidential terrorism annex to the state's Comprehensive Emergency Management Plan (Emergency Management Division 2002b 1).

Law enforcement personnel are widely recognized to be among the most likely first responders (along with fire departments and emergency medical technicians) to a terrorist attack. COT's assessment of statewide needs and capabilities was used to distribute \$3 million in U. S. Department of Justice equipment grants for police and fire agencies. The Federal Emergency Management Agency (FEMA) has also provided assistance for responder training (Emergency Management Division 2002a).²⁴

Washington's Comprehensive Emergency Management Plan assigns state law enforcement agencies specific functions in the event of statewide emergency. WSP is designated at the lead, with law enforcement support from the Departments of Corrections, Fish and Wildlife, Military (EMD and National Guard), Natural Resources, and the Liquor Control Board, Parks and Recreation Commission, and Utilities and Transportation Commission (Washington State Military Department 2003 Appendix 1, Figure 3 7-8).²⁵

Several additional statewide efforts, new since September 11, 2001, address prevention of terrorist activity through information and intelligence sharing.

The Puget Sound Joint Terrorism Task Force (PSJTTF): The FBI is the lead federal law enforcement agency in federal efforts against terrorism. PSJTTF was formed in 2000, to coordinate criminal investigations of suspected terrorists with help from federal, state and local law enforcement. The PSJTTF has two branches, based in Seattle and Spokane (Seattle Field Office, Federal Bureau of Investigation).

²⁴ These grants were managed by the Terrorism Program of the EMD (Emergency Management Division n.d.).

²⁵ Specific duties of each agency are outlined in the "Basic Plan" section of the Comprehensive Emergency Management Plan (Washington State Military Department 2003).

The Anti-Terrorism Task Force of the U.S. Attorney's Office: This statewide group works with the Joint Terrorism Task Force, primarily on coordinating and monitoring information sharing, training, and threat assessment among law enforcement agencies (Western District of Washington n.d.).

The Law Enforcement Information Exchange (LInX): LInX is a planned information sharing initiative intended to respond to and prevent crime and terrorism. The major local participants are from Kitsap, King and Snohomish Counties (Naval Criminal Investigative Unit 2003 2).

Local September 11 responses across the state vary considerably. In an article published in the Seattle Times on April 12, 2003, J. Patrick Coolican reported a wide range of approaches taken by suburban cities toward terrorism-related spending. Renton, for example, is reported to have spent almost \$1 million on post-September 11 purchases ranging from airport security to terrorism insurance. According to Coolican, Edmonds used \$145,000 of city (that is, not federal grant) money to train and better equip fire and police personnel. Another Seattle-area city, Mercer Island, had an emergency-preparedness budget in place before the terrorist activities in New York and Washington D.C. (Coolican 2003 n.p.).

Steven D. Stehr, chair of the Department of Political Science/Criminal Justice Program at Washington State University, noted significant fluctuations in emergency preparedness from county to county in a 2003 report on homeland security activities in Washington. Such a finding, he pointed out, is not unusual among regional and local governments in the U. S. (Stehr 2003 20).

While recognition of terrorist incidents as a real possibility in Washington apparently has not changed much in local *response* plans, Stehr does report "increased emphasis on multidisciplinary coordination and communication interoperability." The biggest legacy of September 11, 2001 that he observed is terrorism *prevention* planning (Stehr 2003 21). Local officials interviewed by Stehr specifically mentioned collaborative work to identify opportunities for mutual aid in preventive efforts (Stehr 2003 23-4).

See appendices for a timeline of major law enforcement policy and legislation.

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